

Please forward assigned FOIA request to your Division Director so they can determine if request should be assigned to RA for responsive records. (This includes 6RA, 6RA-D and 6RA-DA.)

FREEDOM OF INFORMATION ACT REQUEST
EPA-R8-2015-009765

REQUEST DATE: August 11, 2015

REQUEST RECEIVED: August 11, 2015

REQUESTOR INFORMATION:

AnneClaire Stapleton
CNN
1 CNN Center
Atlanta, GA 30303

Email: NatinaldeskFOIA@CNN.com
Fax: # N/A

Work Phone # 404-827-1511

FEE CATEGORY: Media

Expedited Processing

*****SUBJECT*****

Requests access to and copies of all records relating to communications from the EPA ground team (the EPA employees and/or contractors who triggered a breach at Gold King Mine outside Silverton in San Juan County) to regional EPA offices and EPA headquarters in the hours and 10 days following the spill on August 5, 2015, specifically including, but not limited to email, internal communications, text messages, etc.

*****ASSIGNEDOFFICE(s)*****

6SF

DUE DATE: August 28, 2015

*****SPECIAL INSTRUCTIONS TO DIVISIONS*****

1. Always note Fee commitment by requester: \$ 300
2. Call the requester with a fee estimate, if cost is expected to exceed amount committed \$ 300
3. Each Division must obtain Division Director or delegate concurrence on denial log before routing to ARA signature.
4. Send a copy of the response and cost information sheet to the FOIA Office (6MD-OE).

*****DO NOT WRITE IN THIS SPACE, FOR FOIA OFFICE USE ONLY*****

BILLABLE COST

\$4.00	\$7.00	\$10.25	Pages	Other	TOTAL
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6SF

ADMINISTRATIVE COST

Postage	Free Docs.	Other	TOTAL
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08/11/2015

National Freedom of Information Officer

U.S. Environmental Protection Agency
1301 Constitution Avenue, NW, Room 6416 West
Washington, D.C. 20004
(202) 566-1667

Region 6 (States: AR, LA, NM, OK, TX)

Regional Freedom of Information Officer
U.S. EPA, Region 6
1445 Ross Avenue (6MD-OE)
Dallas, TX 75202-2733
(214) 665-7202

Region 8 (States: CO, MT, ND, SD, UT, WY)

Regional Freedom of Information Officer
U.S. EPA, Region 8
FOIA Officer: Al Engels
Email: Engels.Alan@EPA.gov
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-6306

Region 9 (States: AZ, CA, HI, NV, AS, GU)

Regional Freedom of Information Officer
U.S. EPA, Region 9
75 Hawthorne Street (OPA-2)
San Francisco, CA 94105
(415) 947-4251

Re: FOIA Request

Dear EPA DC Office and Regions 6, 8 and 9 FOIA Officers,

On August 5, 2015, workers employed by the Environmental Protection Agency (EPA) triggered a breach at the Gold King Mine outside Silverton in San Juan County.

Pursuant to the Federal Freedom of Information Act, 5 U.S.C. § 552 (the "Act"), Cable News Network, Inc. ("CNN") requests access to and copies of all records relating to communications from the EPA ground team (the EPA employees and/or contractors who triggered a breach at Gold King Mine outside Silverton in San Juan County) to regional EPA offices and EPA headquarters in the hours and 10 days following the spill on August 5, 2015, specifically including, but not limited to email, internal communications, text messages, etc.

CNN agrees to pay reasonable duplication fees for the processing of this request in an amount not to exceed \$300. Please notify me prior to your incurring any expenses in excess of that amount.

If CNN's request is denied in whole or part, we ask that you justify all deletions by reference to the specific exemptions of the Act. CNN will also expect you to release all segregable portions of otherwise exempt material. CNN reserves the right to appeal your decision to withhold any information.

If you have questions regarding this request, please contact me as soon as possible by email NatDeskFOIA@CNN.com and phone 404-827-1511.

As I have made this request in the capacity as a journalist and this information is of timely value, I would appreciate your expediting the consideration of this request in every way possible. In any event, I look forward to your reply within 20 business days, as the Act requires.

Thank you for your assistance.

Sincerely,

AnneClaire Stapleton

CNN News Editor

Newsroom: 404-827-1511

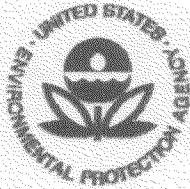
FOIA Correspondence: NationalDeskFOIA@CNN.com

Twitter: @AnneClaireCNN

cc:

Drew Shenkman, Counsel, CNN

Johnita P. Due, Assistant General Counsel, CNN



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

CERTIFICATION OF ADEQUACY OF SEARCH ON
"NO RECORD" RESPONSES

I, _____, certify that I am employed by the Environmental Protection Agency, Region 6, in Dallas, Texas (or acting as a representative) as _____, that I am familiar with the records requested and/or that I am responsible for conducting the search for responsive records for Request Identification Number EPA-R6-_____, and that I have conducted an "adequate" search for responsive records by searching the below listed location(s) (as applicable):

- 1.
- 2.
- 3.

I further certify that I am aware that a search for responsive records need not be perfect, only adequate and that adequacy is measured and/or determined by the "reasonableness" of the effort of the search in light of the specific request. Specifically, I have searched for the documents in all places that it is practical for the documents to be located. Moreover, after conducting an adequate search for records on behalf of the

_____ Division/Unit, I have located no records responsive to this request or portions thereof. Further, I am attaching an itemized listing of all records which my search supports are not in the Region's possession.

Dated: _____,

Signature of Person Conducting Search

Dated: _____,

Signature of Designated Supervisor for
Person Conducting Search

Approved by OGC

STAFF CHECKLIST FOR TRANSMITTAL OF RECORDS/INFORMATION

EPA-R6-

YES NO N/A

Program has responsive records

Searched all possible locations (hard copy/e-mail,
Files in workstation, file rooms, hard/flash/shared drives,
CDs, blackberries etc.)

Advised RFO/DFC of any special circumstances/
Sensitivity related to the FOIA Request

Consulted with the FOIA Requester and/or RFO/DFC
For further clarification of the request

Completed "Certification of Adequate Search" form
for "No Records" Response

Completed Cost Sheet

Provided responsive records to the assigned FOIA
Specialist by due date on transmittal form

Date: _____ Signature: _____ Ext. _____

Printed Name: _____ Office Name: _____

COMMENTS: _____

**THIS FORM SHOULD BE COMPLETED AND RETURNED TO THE REGIONAL
FOI OFFICER ALONG WITH THE RESPONSIVE RECORDS, A COST SHEET AND
"NO RECORDS" CERTIFICATION FORM (IF NECESSARY), FOR EACH FOIA
REQUEST PROCESSED.**

INTERNAL USE ONLY – DO NOT SEND THIS TO REQUESTER

Please read instructions on back before completing form.

FOIA FEE CALCULATION WORK SHEET

1. REQUEST NUMBER EPA-R6-	2. TYPE OF REQUESTER	3. DATE COMPLETED	4. ACTION OFFICE																
NOTE: The Freedom of Information Act and EPA's regulations state that the Federal Government must obtain a fee commitment from a FOIA requester before billing can occur. So if no fee commitment is plainly given in the request letter or if other Divisions also have records, please contact the requester. Provide the requester with an estimate. Make sure the requester understands what program records you refer to and make a note of his/her fee commitment.																			
5. FEE COMMITMENT AMT		6. DATE OF VERBAL/WRITTEN COMMITMENT	7. FEE COMMITMENT RECEIVED FROM																
8. CLERICAL PERSONNEL		TOTAL HRS	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">1/4 HOUR RATE</th> <th style="width:50%;">COST</th> </tr> <tr> <td>a. Search - \$4.00 @ 1/4 HOUR</td> <td>x \$4.00 =</td> </tr> <tr> <td>b. Review - \$4.00 @ 1/4 HOUR</td> <td>x \$4.00 =</td> </tr> </table>	1/4 HOUR RATE	COST	a. Search - \$4.00 @ 1/4 HOUR	x \$4.00 =	b. Review - \$4.00 @ 1/4 HOUR	x \$4.00 =										
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12. OTHER COSTS		TOTAL	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">RATE OR ACTUAL</th> <th style="width:50%;">COST</th> </tr> <tr> <td>a. Computer Cost</td> <td>x =</td> </tr> <tr> <td>b. Certifications</td> <td>x \$25.00 =</td> </tr> <tr> <td>c. Special Handling – Overnight Mail</td> <td>x =</td> </tr> <tr> <td>d. Other</td> <td>x =</td> </tr> </table>	RATE OR ACTUAL	COST	a. Computer Cost	x =	b. Certifications	x \$25.00 =	c. Special Handling – Overnight Mail	x =	d. Other	x =						
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13. ACTUAL ADMIN. COST FOR NON-BILLABLE STAFF TIME		TOTAL	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">1/4 HOUR RATE</th> <th style="width:50%;">COST</th> </tr> <tr> <td>a. Preparer's Name: _____ Grade/Step: _____</td> <td>x =</td> </tr> <tr> <td>b. Preparer's Name: _____ Grade/Step: _____</td> <td></td> </tr> </table>	1/4 HOUR RATE	COST	a. Preparer's Name: _____ Grade/Step: _____	x =	b. Preparer's Name: _____ Grade/Step: _____											
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14. FOR FOIA OFFICE USE ONLY																			
a. TOTAL ADMINISTRATIVE/PROCESSING FEES _____		c. TOTAL CHARGED _____																	
b. TOTAL COLLECTABLE FEES _____		d. FEES WAIVED/REDUCED YES OR NO																	

R6 FOIA FORM 6/03